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Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 AID-05 CEA-01 CIAE-00 COME-00 EB-08
FRB-03 INR-07 NSAE-00 SP-02 STR-04 TRSE-00 LAB-04
SIL-01 OMB-01 ACDA-07 AGRE-00 CEQ-01 CG-00
DLOS-09 DODE-00 DOTE-00 EPA-01 ERDA-05 FEAE-00
FMC-01 H-01 INT-05 IO-13 JUSE-00 L-03 NSC-05
NSF-01 OES-06 PA-01 PM-04 PRS-01 SS-15 USIA-06
/134 W
----------041933Z 054598 /47
R 041623Z APR 77
FM USMISSION EC BRUSSELS
TO SECSTATE WASHDC 3463
INFO ALL EC CAPITALS
AMEMBASSY BERLIN
AMEMBASSY MOSCOW
AMEMBASSY WARSAW
AMEMBASSY OSLO
USMISSION BERLIN
USMISSION NATO
USNMR SHAPE
AMEMBASSY STOCKHOLM

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TAGS: EEC, EFIS, PLOS
SUBJECT: STATUS OF EC FISHERY NEGOTIATIONS WITH THE USSR, POLAND AND GDR

REF: (A) EC BRUSSELS 2403, (B) ECA125, (C) OSLO 1447 (ALL NOTAL)

1. SUMMARY. THE SECOND ROUND OF EC NEGOTIATIONS WITH POLAND AND THE GDR OF FRAMEWORK FISHERY AGREEMENTS (WHEICH ENDED MARCH 17 AND 24, RESPECTIVELY,) CLARIFIED AND, ACCORDING TO AN EC COMMISSION OFFICIAL, MADE SOME PROGRESS IN RESOLVING
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TECHNICAL ISSUES BUT NONE AT ALL TOWARD SETTLING SUCH KEY POLITICAL ISSUES AS THE TITLE OF THE AGREEMENT, IDENTIFICATION OF THE SIGNATORIES AND THE "BERLIN CLAUSE". HOWEVER, IT IS TACITLY UNDERSTOOD IN TALKS WITH POLAND AND THE GDR THAT A SETTLEMENT OF THESE ISSUES MUST FIRST BE REACHED WITH THE SOVIET UNION, WITH WHOM NEGOTIATIONS WILL NOT RESUME UNTIL LATE APRIL. THE POLES AND EAST GERMANS HAVE JOINED

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THE SOVIETS IN REQUESTING LARGE QUOTAS OF FISH FOR
1977 AND IN INDICATING THAT THEIR WILLINGNESS TO
ACCEPT AN AGREEMENT WITH THE EC WILL BE AFFECTED BY
THE QUANTITIES OF FISH THEY CAN RECEIVE. IN THE
MEANTIME, THE EC HAS AGREED TO EXTEND THE INTERIM
FISHING ARRANGEMENTS FOR THE THREE STATES BY TWO
MONTHS, ONE MONTH LESS THAN THE EXTENSION FOR MOST WESTERN
COUNTRIES FISHING IN EC WATERS. END SUMMARY.

2. ACCORDING TO EC COMMISSION SOURCES, ALTHOUGH POLAND
AND THE GDR HAD, LIKE THE USSR, INITIALLY SUBMITTED
THEIR OWN VERSIONS OF A FISHERY AGREEMENT, ALL THREE
NOW ACCEPT THE EC-PROPOSED WORK DRAFT (REF B), WHICH
IS SIMILAR FOR ALL THREE STATES, AS A BASIS FOR NEGOTI-
ATIONS. THE THREE STATES ALSO APPEAR TO ACCEPT THE
GENERAL PROVISIONS IN ARTICLE 2 AS FAR AS THEY GO
REGARDING UNILATERAL DETERMINATION BY EACH PARTY OF
THE TOTAL ALLOWABLE CATCHES IN WATERS UNDER THEIR
JURISDICTION AND THE ESTABLISHMENT "AFTER APPROPRIATE
CONSULTATION" OF "ALLOTMENTS" TO THE OTHER PARTY. POLAND
AND THE GDR CONTINUE TO ARGUE, HOWEVER, AS DID THE USSR
EARLIER, THAT THERE ARE PRESENTLY SURPLUSES OF SOME
FISH SPECIES IN EC WATERS AND THAT THERE SHOULD BE A
CLAUSE PROVIDING FOR ACCESS TO SUCH SURPLUS BY "TRADITIONAL"
THIRD-COUNTRY FISHING INTERESTS. THE ADMITS
THAT, WHILE THERE MAY INDEED BE AN IMMEDIATE SURPLUS
OF SPECIES NOT HABITUALLY CAUGHT BY EC FISHERMEN,
THE EC MEMBER STATES NOW HAVE UNEMPLOYED FISHING
CAPACITY WHICH WILL UNDOUBTEDLY BE DIVERTED TO
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CATCHING SUCH FISH AS EC FISHERMEN ARE FORCED OUT
OF THIRD COUNTRY WATERS AND EC CONSERVATION MEASURES
DECREASE CATCHES OF MORE VALUABLE FISH IN EC WATERS.
FOR EXAMPLE, DANISH INDUSTRIAL FISHERIES IN THE NORTH
SEA MAY WELL BE DIVERTED TO CATCH BLUE WHITING OFF
IRELAND AND THE UK. THE EC ARGUES THAT THESE
LONG TERM AGREEMENTS SHOULD REFLECT THE SITUATION OVER
THE LIFE OF THE AGREEMENT, NOT AS IT EXISTS
TODAY.

3. OUR COMMISSION SOURCES HAVE TOLD US IN CONFIDENCE,
HOWEVER, THAT AS AN INDUCEMENT TO HAVE THE THREE STATES ACCEPT
OTHER PARTS OF THE AGREEMENT, THE EC MIGHT INCLUDE A
CAREFULLY-WORDED CLAUSE PROVIDING FOR POSSIBLE ACCESS
TO SURPLUS IN THE FUTURE IF EC CONSERVATION MEASURES
SUCCEED IN RESTORING FISH STOCKS SUFFICIENTLY TO
GENERATE A "SURPLUS". THIS WOULD BE DETERMINED
UNILATERALLY BY THE EC.

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4. MEANWHILE, THE POLES AND THE EAST GERMANS HAVE BEEN ARGUING STRONGLY AGAINST THE EC'S LINE IN THE NEGOTIATIONS THAT POLISH AND EAST GERMAN FISHING IN EC WATERS SHOULD BE PHASED OUT AS RAPIDLY AS PROPOSED BY THE EC. THEY ARE PRESSING FOR PHASING OUT PERIOD OF ABOUT THE SAME LENGTH AS THE FISHERY AGREEMENT (7-10 YEARS) ON THE BASIS THAT THE REVISED SINGLE NEGOTIATING TEXT AT THE UN LAW OF THE SEA CONFERENCE PROVIDES THAT DAMAGE TO "HABITUAL" FISHERIES AS A RESULT OF EXTENSION OF FISHERY ZONES SHOULD BE MINIMIZED.

5. THE THREE EASTERN EUROPEAN STATES HAVE PRESSED FOR ESTABLISHMENT OF FISHING QUOTAS CONCURRENTLY WITH NEGOTIATIONS OF THE FRAMEWORK AGREEMENTS AND HAVE ASKED FOR THE FOLLOWING 1977 QUOTAS FOR THEIR FISHING IN EC WATERS: USSR-618,000 METRIC TONS, POLAND-
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130,000 TONS, DGR-50,000 TONS, FOR A TOTAL OF ABOUT 800,000, OF WHICH 500,000 WOULD CONSIST OF INDUSTRIAL FISH (BLUE WHITING, HORSE MACKEREL AND SPRAT) AND 300,000 TONS OF PRIME EDIBLE FISH (HADDOCK, COD AND RED FISH). IN RETURN, THE USSR WOULD BE PREPARED TO OFFER EC FISHERMEN 130,000 TONS IN SOVIET WATERS (WHICH WOULD INCLUDE 100,000 TONS OF PRIME FISH, SOME OF WHICH NORWAY WOULD HAVE EXPECTED TO CATCH AS POINTED OUT IN REF C). POLAND AND THE GDR HAVE NO RECIPROCAL OFFERINGS.

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INFO OCT-01 ISO-00 AID-05 CEA-01 CIAE-00 COME-00 EB-08
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R 041623Z APR 77
FM USMISSION EC BRUSSELS
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AMEMBASSY BERLIN
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AMEMBASSY OSLO
USMISSION BERLIN
USMISSION NATO
USNMR SHAPE
AMEMBASSY STOCKHOLM

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6. THE EC RESPONSE THAT IT CANNOT DISCUSS QUOTAS UNTIL THE FRAMEWORK AGREEMENT IS CONCLUDED IS LEADING THE THREE EASTERN EUROPEAN STATES, PARTICULARLY THE USSR, TO STRESS THAT THEIR WILLINGNESS TO CONCEDE ON THE POLITICAL ISSUES WILL DEPEND IN PART ON HOW MUCH FISH THEY CAN COUNT ON IN EC WATERS. THEY CLEARLY WANT TO KNOW WHAT THEIR POLITICAL CONCESSIONS WILL BUY, AND COMMISSION OFFICIALS INVOLVED IN THE NEGOTIATION FEEL THAT UNTIL THEY HAVE SOME IDEA, AN AGREEMENT IS UNLIKELY.

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7. THE THIRD ROUNDS OF ENGOTIATIONS ARE TO RESUME APRIL 19 WITH THE USSR, APRIL 26 WITH PLLAND, AND MAY 3 WITH THE GDR. OUR COMMISSION SOURCES BELIEVE THAT AGREEMENT AT THAT TIME IS UNLIKELY BECAUSE THE EC WILL NOT BE INA POSITION TO RESPOND TO THE DESIRE OF THE THREE STATES FOR INDICATIONS OF POSSIBLE ANNUAL CATCHES --SINCE THIS DEPENDS ON QUOTAS FOR EC MEMBER STATES UNDER THE INTERNAL FISHING REGIME, WHICH WILL PROBABLY STILL NOT BE APPROVED BY THAT DATE. OUR SOURCES PREDICT THAT DURING THE NEXT ROUND THE EC WILL SEEK TO "EDUCATE" THE EASTERN EUROPEAN STATES ON THE MAGNITUDE OF PLANNED REDUCTIONS OF TOTAL CATCHES IN EC WATERS FOR STOCK RESTORATION PURPOSES, AND TRY TO CONVINCE THEM THAT THE QUOTAS THEY HAVE REQUESTED ARE TOTALLY UNREALISTIC, GIVEN PLANNED REDUCTIONS WHICH WILL APPLY TO ALL EC AND THIRD COUNTRY FISHING IN THESE WATERS.

I. IN THE MEANTIME, THE MEMBER STATES MEETING IN THE COREPER HAVE AGREED TO EXTEND FOR TWO MONTHS THE INTERIM FISHING QUOTAS FOR THESE THREE STATES WHICH EXPIRED

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ON MARCH 31 ON THE SAME BASIS AS FOR THE FIRST THREE
MONTHS OF 1977. IN ORDER TO KEEP PRESSURE ON THEM
TO ACCEPT EC TERMS, THIS IS ONE MONTH LESS THAN THE
THREE-MONTH EXTENSION CONTEMPLATED FOR SPAIN, PARTUGAL,
NORWAY AND FINLAND. SWEDEN IS TO GET EVEN MORE FAVORABLE
TREATMENT BECAUSE IT ALREADY CONCLUDED IT S AGREEMENT
WITH THE EC. (FAROE ISLANDS, WHICH ALSO SIGNED ITS
AGREEMENT WITH THE EC, ARE BEING CONSIDERED SEPARATELY
BECAUSE OF PROBLEMS IN REGARD TO CONSERVATION MEASURES
IN ADJOING FISHERY ZONES). THESE
DECISIONS ARE TO BE CONFIRMED BY THE EC FOREIGN MINISTERS
AT THEIR APRIL 5 COUNCIL MEETING IN LUXEMBOURG. HINTON

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